

Notice of Allowability

Application No.	Applicant(s)
09/873,675	ARNOLD ET AL
Examiner	Art Unit
Chester T. Barry	1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 9/8/03.
2. The allowed claim(s) is/are 1, 3-6, 79, 10-20, 22, - 24-27, 40.
3. The drawings filed on 04 June 2001 are accepted by the Examiner.

. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of the:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. ____.
3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

(a) The translation of the foreign language provisional application has been received.

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

plicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted above. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached

1) hereto or 2) Paper No. ____.

(b) including changes required by the proposed drawing correction filed ____, which has been approved by the Examiner.

(c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

[] DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Comment(s)

Notice of References Cited (PTO-892)

5 Notice of Informal Patent Application (PTO-152)

Notice of Draftperson's Patent Drawing Review (PTO-948)

6 Interview Summary (PTO-413), Paper No. ____.

Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. ____.

7 Examiner's Amendment/Comment

Examiner's Comment Regarding Requirement for Deposit of Biological Material

8 Examiner's Statement of Reasons for Allowance

9 Other

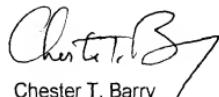
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Art Unit: 1724

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

IN THE CLAIMS

Claims 21, 28-39 are cancelled as being directed to an invention non-elected without traverse.



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